

IT IS SO ORDERED.

Dated: 07 October, 2009 02:48 PM


RANDOLPH BAXTER
UNITED STATES BANKRUPTCY JUDGE

200719272
(ajt)

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO
AT CLEVELAND

IN RE:	:	Case No. 07-12536
Wendy Velez	:	Chapter 13
	:	Judge Baxter
Debtor	:	ORDER GRANTING FINAL
	:	MODIFICATION OF AUTOMATIC
	:	<u>STAY</u>
	:	

This matter is before the Court upon the Agreed Order Vacating Order Granting Final Modification of the Automatic Stay of US Bank, N.A. successor by merger to The Leader Mortgage Company c/o US Bank Home Mortgage; and upon the Affidavit of Default by Olivia Todd dated September 30, 2009; and it appearing to the Court that the Creditor holds the promissory note and first mortgage describing certain real estate owned by the debtor and located at 3295 West 90th Street, Cleveland, OH 44102, which mortgage

loan obligation is in default; and it further appearing that said debtor has failed to comply with the terms of the Agreed Order Vacating Order Granting Final Modification of the Automatic Stay filed herein on May 23, 2008, and that said Creditor has filed an appropriate Affidavit of Default herein pursuant to the terms of said Agreed Order; accordingly

IT IS ORDERED THAT the automatic stay invoked herein by Section 362 of the Bankruptcy Code shall be, and hereby is, terminated in all respects as against the Creditor, its successors and assigns.

The Trustee shall discontinue payments to Movant on its claim under the Chapter 13 Plan filed by the Debtor(s). Movant is directed to file a report of sale promptly following liquidation of the Collateral if any excess proceeds have been received and Movant is given leave to file an unsecured deficiency claim within 60 days after liquidation of the Collateral, if such claim exists.

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SUBMITTED BY:

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